

City Council Agenda

Council President
Jerry Duncan

Councilmembers

Tom Boyajian
Brian Calhoun, Ph.D.
Mike Dages

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch, CMC

Henry T. Perea – Acting President
Cynthia Sterling
Larry Westerlund

Interim City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

May 9, 2006

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 1:00 p.m. and re-played beginning at 8:00 p.m.

1:00 P.M. ROLL CALL

Invocation by Pastor Kevin Smith of the St. Luke's Calvary Community Church

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of "BE KIND TO ANIMALS WEEK" – Councilmember Westerlund

Proclamation of "OLDER AMERICANS MONTH" – Councilmember Sterling

Special Recognition of REI (Recreation Equipment Incorporated) For Their \$10,000 Donation to FUN, the Non-Profit Group of Parks, Recreation, & Community Services to Create Stewardship Activities at Woodward Park – Council President Duncan

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of May 2, 2006

Action Taken:

Councilmember Reports and Comments

Action Taken

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

A. **RESOLUTION** - Approving Proposition 116 Rail Program Grant funding from the California Transportation Commission for the Santa Fe Station parking lot project and authorizing execution of documents – Public Works Dept.

Action Taken:

B. * Award a contract to Kelly C. Broyles Construction for the installation of 12" water main in Shaw Avenue from Fruit to Maroa Avenues – Public Works Dept.

Action Taken:

C. * Award a requirements contract to Aries Industries, Inc of Waukesha, Wisconsin for sewer mainline closed-circuit television (CCTV) Vans – Dept. of Public Utilities

Action Taken:

D. **RESOLUTION** – Of intention to annex Final Tract No. 5352 as Annexation No. 3 to City of Fresno Community Facilities District No. 11 (***Property located in District 2***) – Public Works Dept.

Action Taken:

E. **RESOLUTION** - Of intention to annex Final Tract No. 5530 to the City of Fresno Community Facilities District No. 11, Annexation No. 6 and setting the hearing for May 23, 2006, at 10:40 a.m.#1 – Public Works Dept.

Action Taken:

2. **CITY COUNCIL**

- A. Approve giving formally organized homeowners associations additional options for the ongoing landscaping maintenance of the Mello-Roos Community Facilities District (CFD #2) – Council President Duncan
Action Taken:
- B. Request staff to provide answers to the Downtown Fresno Coalition regarding the downtown mall study – Councilmember Boyajian
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:45 A.M. **CONTINUED HEARING** to consider Rezone Application No. R-05-67, and environmental findings, filed by subdivider Hansen Edenbridge, Inc., and property owners David P. and Frances Valenzuela and Joseph and Delia Garcia, pertaining to approximately 9.5 acres of property located on the west side of N. Polk Avenue between W. Shields and W. Dakota Avenues (3201 N. Polk Avenue) ***(Property located in District 1) (Continue to 3:00 P.M. #2)*** – Planning and Development Dept.
Action Taken:

- 1:15 P.M. A. **SCHEDULED COMMUNICATION –**
- B. **UNSCHEDULED COMMUNICATION –** Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

1:30 P.M. **GENERAL ADMINISTRATION**

- A. **BILL NO. B-30 - (For Re-introduction)** - Amending the Fresno Municipal Code relating to required installation of automatic fire extinguishing system for all occupancies – Fire Dept.
Action Taken:
- B. Information report and presentation on the results of special actuarial studies projecting the availability of surplus earnings in the retirement systems over the next six actuarial valuations – Retirement Office
Action Taken:
- C. Confirmation of appointments of the Council President, the City Manager, Mo Bagunu, Tom Richards, Lydia Zybricki, and Terry Holcomb to the Fresno County Workforce Investment Board – City Manager's Office
Action Taken:

2:00 P.M. **CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
Government Code Section 54956.9, subdivision (a)
1. **Case Name:** City of Fresno v. Garfield Park Highlands, et al.
Action Taken:
- B. **CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION -** Government Code Section 54956.9, subdivision (b)
Significant Exposure to Litigation:
1. City of Fresno v. M.J. Menefee Construction, Inc. and Great American Insurance Company (Herndon Avenue Improvements)
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

- 2:15 P.M.** Direction to staff to bring back an update on the status of the Herndon Avenue widening project and Council discussion and action as needed regarding the performance of M.J. Menefee Construction, Inc. on the project **(Property located in District 2)** - Councilmember Calhoun
Action Taken:
- 3:00 P.M. #1** **2005 CYCLE III TRIMESTER PLAN AMENDMENT HEARINGS (Continued from April 25, 2006)**
- Continued consideration of Plan Amendment Application No. A-05-12, Rezone Application No. R-05-77, and environmental findings, filed by Dale Mell on behalf of Mike Pistoresi, pertaining to approximately 30 acres of property located on the southwest corner of W. California and S. West Avenues **(Map Location #3) (Property located in District 3)** – Planning and Development Dept.
Action Taken:
- a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-12/R-05-77
Action Taken:
 - b. **RESOLUTION** - Amending the 2025 Fresno General Plan and Edison Community Plan from the office commercial planned land use designation to the medium density residential land use designation for the easterly 10 acres of the 30-acre project site
Action Taken:
 - c. **BILL** - Amending the Fresno-Chandler Downtown Airport Master and Environs Specific Plan from the office commercial planned land use designation to the medium density residential land use designation
Action Taken:
 - d. **BILL** – Amending the Official Zone Map to rezone the subject site from the AL-20 (*Limited Twenty Acre Agricultural, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district
Action Taken:
- 3:00 P.M.#2** **CONTINUED HEARING** to consider Rezone Application No. R-05-67 and environmental findings, filed by subdivider Hansen Edenbridge, Inc., and property owners David P. and Frances Valenzuela and Joseph and Delia Garcia, pertaining to approximately 9.5 acres of property located on the west side of N. Polk Avenue between W. Shields and W. Dakota Avenues (3201 N. Polk Avenue) **(Property located in District 1)** – Planning and Development Dept.
Action Taken:
- a. Consider and adopt Environmental Assessment No. R-05-67/T-5537/C-05-195, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan
Action Taken:
 - b. **BILL** – Amending the Official Zone Map to rezone the subject property from the RR (*Rural Residential*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district
Action Taken:
- 3:30 P.M. #1** **WORKSHOP** to discuss whether the City Manager and Redevelopment Agency Executive Director should issue a joint Request For Proposal to hire a professional services firm to perform an analysis with recommendations of the Redevelopment Agency and Economic Development Department to include best practices and project-specific evaluations - Councilmember Calhoun and Acting President Perea
- 3:30 P.M. #2 -** Discussion and direction to staff regarding awarding of the Camp Fresno Contract – Councilmember Boyajian
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

May	16 -	10:00 A.M.	Presentation of the Hope IV Villages of California by Debra Moore of the Housing Authority
May	16 -	10:15 A.M.	HEARING re: Community Facilities District No. 11, Annexation No. 7, Tract No. 5406
May	16 -	10:20 A.M.	HEARING re: Rezone Application No. R-06-05, filed by Lennar Homes
May	16 -	10:30 A.M.	HEARING re: Rezone Application No. R-06-07, filed by Housing Authorities of the City and County of Fresno
May	16 -	10:35 A.M.	HEARING Re: Rezone Application No. R-05-88, filed by Bun Ma
May	23 -	10:00 A.M.#2	HEARING re: Community Facilities District No. 2, Annexation No. 118, Tract No. 5326
May	23 -	10:00 A.M.#3	HEARING re: Community Facilities District No. 2, Annexation No. 119, Final Tract Maps No. 5374 and 5313 (District 5)
May	23 -	10:15 A.M.	HEARING To consider the adoption of a resolution vacating a portion of the intersection of W. Bellaire Avenue and N. Milburn Avenue (Located in District No. 1)
May	23 -	10:30 A.M.	HEARING re: Community Facilities District No. 11, Annexation No. 5, Tract No. 5283
May	23 -	10:40 A.M.#1	HEARING re: Community Facilities District No. 11, Annexation No. 3, Tract No. 5352
May	23 -	10:40 A.M.#2	HEARING re: Community Facilities District No. 11, Annexation No. 6, Tract No. 5530
May	23 -	10:45 A.M.	HEARING re: adoption of resolutions amending the schedule of costs and fees related to the Storm Drainage master Plan – Public Works Dept.
May	23 -	2:35 P.M.	Consider the acquisition of parcels encompassing 22,374 square feet at the northeast corner of Divisadero and Glenn Avenues for the development of a community youth center for the Parks, Recreation and Community Services Department and environmental findings
May	23 -	2:45 P.M.	Report to Council from Fresno's Chaffee Zoo Corporation on the status of the zoo transition – City Manager's Office
May	23 -	3:00 P.M.	HEARING re: Rezone Application No. R-05-86, filed by Provost and Pritchard Engineering Group
May	23 -	3:15 P.M.	HEARING re: Rezone Application No. R-05-63, filed by George Goddard
May	30 -	NO MEETING – MEMORIAL DAY	
June	6 -	NO MEETING – ELECTION DAY	
June	13 -	10:00 A.M.	CONTINUED HEARING to consider Rezone Application No. R-05-61, filed by Centex Homes on behalf of Damrong and Somluck Pattanumotana and Ahmed Khaled
June	20 -	10:00 A.M.#1	HEARING re Community Facilities District No. 2, Annexation No. 120, Tract No. 5251
June	20 -	10:00 A.M.#2	HEARING re Community Facilities District No. 2, Annexation No. 121, Tract No. 5300
June	20 -	10:00 A.M.#3	HEARING re Community Facilities District No. 2, Annexation No. 123, Tract No. 5283
July	4 -	NO MEETING – COUNCIL VACATION	
July	11-	NO MEETING – COUNCIL VACATION	

FY 2006-2007 BUDGET HEARINGS – (SUBJECT TO CHANGE)

Dates		Time	Departments	Location
May	31 -	6:00 p.m. - 8:30 p.m.	Economic Dev., City Attorney & City Clerk	Woodward Park Library
June	7 -	6:00 p.m. – 8:30 p.m.	Public Works Department	Fresno High
June	8 -	6:00 p.m. – 8:30 p.m.	Planning & Dev., Airports	Hoover High
June	12-	6:00 p.m. – 8:30 p.m.	Parks, Personnel	Edison High
June	14-	6:00 p.m. – 8:30 p.m.	Police ISD	Bullard High
June	15-	6:00 p.m. – 8:30 p.m.	Dept. of Public Utilities	Fresno Art Museum
June	19-	6:00 p.m. – 8:30 p.m.	Transportation, GSD & Finance	Mosqueda Center
June	21 -	6:00 p.m. – 8:30 p.m.	Fire Department	City Hall
June	21-	6:00 p.m. – 8:30 p.m.	Mayor	City Hall
June	21-	6:00 p.m. – 8:30 p.m.	City Manager	City Hall
June	21-	6:00 p.m. – 8:30 p.m.	City Council	City Hall
June	21-	6:00 p.m. – 8:30 p.m.	General City Purpose, RDA	City Hall
June	21-	6:00 p.m. – 8:30 p.m.	CDBG/ESG/Home	City Hall
June	22-		Council Budget Adoption	City Hall
June	30-		Final Day to Adopt Budget	City Hall

